

REMARKS

This Amendment is being filed in response to the Final Office Action mailed December 18, 2006, which has been reviewed and carefully considered. Entry of the present amendment and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, claim 3 has been without prejudice and its features included in independent claims 1 and 9. Accordingly, no new issues requiring a new search have been introduced and entry of the present Amendment is respectfully requested.

In the Final Office Action, claims 1-2 and 4-15 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 6,670,765 (Muto). Further, claim 3 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Muto in view of U.S. Patent No. 4,047,069 (Akutsu). It is respectfully submitted that claims 1-2 and 4-15 are patentable over Muto and Akutsu for at least the following reasons.

In rejecting claim 3, on page 5, last paragraph of the Final

Office Action, the Examiner correctly notes that Muto:

does not expressly disclose that the outer bulb comprises neodymium oxide, the neodymium oxide content being substantially 2 to 20% by weight with respect to the total weight of the outer bulb.

Column 3, lines 47-58 and FIG 2 of Akutsu are cited in an attempt to remedy these two deficiencies in Muto.

It is respectfully submitted that column 3, lines 47-58 of Akutsu teach two distinct embodiments of Akutsu which do not teach or suggest the added features of amended claims 1 and 9.

In particular, one embodiment of Akutsu is using an outer bulb containing neodymium, not neodymium oxide. Another embodiment of Akutsu is coating the outer bulb with neodymium oxide mixed with phosphor powder.

In stark contrast, independent claims 1 and 9 specifically require (illustrative emphasis provided):

the outer bulb comprising neodymium oxide.

This feature is nowhere shown or suggested in Akutsu. Rather, as described above, Akutsu shows an outer bulb including neodymium only and nowhere shows including neodymium oxide in the bulb. Neodymium oxide in Akutsu is only a coating on the bulb. There is

simply no teaching or suggestion in Akutsu of an outer bulb comprising neodymium oxide as required by the present invention as recited in independent claims 1 and 9.

The Final Office Action states on page 6, first full paragraph that "[o]ne with ordinary skill in the art would reasonably understand that the bulb could comprise a neodymium oxide coating." Applicants respectfully disagree. Even if assuming, arguendo, that this allegation is correct, nevertheless the present invention requires an outer bulb comprising neodymium oxide, which is not described or suggested in the Akutsu, Muto or combination thereof.

Further, Akutsu nowhere discloses or suggests "the neodymium oxide content being substantially 2 to 20% by weight with respect to the total weight of the outer bulb" as required by independent claims 1 and 9.

The Final Office Action on page 6, line 2-5 states that it would be obvious to have "the neodymium oxide content being substantially 2 to 20% by weight with respect to the total weight of the outer bulb, since it has been held that where the general conditions of a claim are disclosed in the [Akutsu] prior art, discovering the optimum or workable ranges involves only routine

skill in the art". Applicants respectfully disagree.

It is respectfully submitted that the so called "general conditions" of independent claims 1 and 9, namely, "outer bulb comprising neodymium oxide" are not even taught or suggested by Akutsu, let alone the particular weight percentage range. Akutsu simply does not disclose or suggest including any neodymium oxide content in the outer bulb at all! Rather, Akutsu shows a coating of neodymium oxide mixed with phosphor powder. Furthermore, Akutsu does not disclose or suggest neodymium oxide substantially being 2 to 20% by weight with respect to the total weight of the outer bulb at all.

In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claim 9, amongst other patentable elements, requires (illustrative emphasis provided):

an outer bulb surrounding the inner vessel, the outer bulb comprising neodymium oxide, the neodymium oxide content being substantially 2 to 20% by weight with respect to the total weight of the outer bulb.

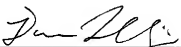
Accordingly, it is respectfully submitted that independent claims 1 and 9 is allowable, and allowance thereof is respectfully

requested. In addition, it is respectfully submitted that claims 2, 4-8 and 10-14 should also be allowed based at least on their dependence from independent claim 1.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By 
Dicran Halajian, Reg. 39,703
Attorney for Applicant(s)
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THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101